



Federal Communications Commission  
Washington, D.C. 20554

January 4, 2002

Catherine Wang  
Douglas D. Orvis II  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, N.W.  
Suite 300  
Washington, D.C. 20007-5116

Re: Petition for Waiver  
Fee Control No.: 00000RROG-02-004

Dear Counsel:

This letter is in response to your request submitted on behalf of Novo Networks International Services, Inc., for waiver pursuant to Section 1.1166 of the Commission's Rules, 47 C.F.R. § 1.1166, of regulatory fees for Fiscal Year 2001.

You state that Novo filed for protection under Chapter XI Bankruptcy on July 30, 2001. You assert that payments can not be made at this time absent approval of the Bankruptcy Court and, thus, that no regulatory fee payment should be required.

Section 1.1166 of the Commission's Rules, 47 C.F.R. § 1.1166, provides that regulatory fees may be waived upon a showing of good cause and a finding that the public interest will be served thereby. We find that Novo's filing of a Chapter XI petition in bankruptcy court substantiates its claim of financial hardship and demonstrates good cause for waiver of the filing fees. See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12762 (1995) (evidence of bankruptcy or receivership sufficient to establish financial hardship for purposes of waiver of regulatory fees). Therefore, your request for waiver of Fiscal Year 2001 regulatory fees is granted.

If you have any questions concerning this letter, please contact the Revenue and Receivable Operation Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Reger", is written over a large, stylized oval shape.

Mark Reger  
Chief Financial Officer

**SWIDLER BERLIN SHEREFF FRIEDMAN, LLP**

THE WASHINGTON HARBOUR  
3000 K STREET, NW, SUITE 300  
WASHINGTON, DC 20007-5116  
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405 LEXINGTON AVENUE  
NEW YORK, NY 10174  
(212) 973-0111 FAX (212) 891-9598

September 26, 2001

**RETURN COPY****VIA COURIER**

Ms. Magalie Roman Salas, Secretary  
Federal Communications Commission  
P.O. Box 358835  
Pittsburgh, PA 15251-5145

FCC-MELLON

SEP 26 2001

Re: Regulatory Fees for Novo Networks International Services, Inc.

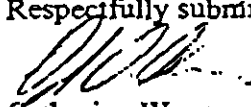
Dear Ms. Salas:

Enclosed please find the completed Form 159 for Novo Networks International Services, Inc. ("Novo" or the "Debtor") for the submission of Novo's 2000 Regulatory Fees. Please note that while Novo has completed this form and submitted it to the Commission, Novo has not enclosed a payment for these fees.

Novo filed a voluntary petition for protection under Chapter 11 of the U.S. Bankruptcy Code on July 30, 2001 in the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Petition"). Because the Commission's regulatory fees are based on revenues that occurred prior to the filing of the Bankruptcy Petition, Novo believes that U.S. bankruptcy law prohibits payment at this time. Under the U.S. Bankruptcy Code, payments for debts that arise out of pre-petition activities cannot be paid absent specific approval of the Bankruptcy Court. Novo requests that the FCC not impose any penalty or late fees. In light of the legal prohibition on the Debtor making payments without instructions from the Bankruptcy Court, Novo believes that such late fees should not be applicable.

Please date-stamp the enclosed extra copy of this filing and return it in the envelope provided. Please direct any questions regarding this filing to Douglas D. Orvis II at (202) 945-6941.

Respectfully submitted,

  
Catherine Wang  
Douglas D. Orvis II

cc: Accounting and Audits Division, FCC  
Steven W. Caple

000.00 RROU-02-004

# SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

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OCT 09 2001

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October 9, 2001

## VIA COURIER

Ms. Magalie Roman Salas, Secretary  
Federal Communications Commission  
P.O. Box 358835  
Pittsburgh, PA 15251-5835

Re: Amended Filing of Regulatory Fees for Novo Networks International Services, Inc.

Dear Ms. Salas:

By this submission we are providing a revised FCC Form 159 for association with the September 26, 2001, Regulatory Fee submission for calendar year 2000 on behalf of Novo Networks International Services, Inc. ("Novo" or the "Debtor"). We have become aware that the previously submitted FCC Form 159 inadvertently identified the applicant as "Novo Networks, Inc.", although it did provide the correct Taxpayer Identification Number ("TIN") for the Debtor. We are submitting this amendment to correctly identify the name of the applicant, on FCC Form 159, as "Novo Networks International Services, Inc."

As previously stated in the September 26, 2001 filing, please note that while Novo has completed this form and submitted it to the Commission, Novo has not enclosed a regulatory fee payment. Novo filed a voluntary petition for protection under Chapter 11 of the U.S. Bankruptcy Code on July 30, 2001 in the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Petition"). Because the Commission's regulatory fees are based on revenues that occurred prior to the filing of the Bankruptcy Petition, Novo believes that U.S. bankruptcy law prohibits payment at this time. Under the U.S. Bankruptcy Code, payments for debts that arise out of pre-petition activities cannot be paid absent specific approval of the Bankruptcy Court. Novo requests that the FCC not impose any penalty or late fees. In light of the legal prohibition on the Debtor making payments without instructions from the Bankruptcy Court, Novo believes that such late fees should not be applicable.

Please date-stamp the enclosed extra copy of this filing and return it in the envelope provided. Please direct any questions regarding this filing to Douglas D. Orvis II at (202) 945-6941.

Respectfully submitted,



Catherine Wang  
Douglas D. Orvis II

cc: Accounting and Audits Division, FCC  
Steven W. Caple

2001 NOV 26 A 10:49  
ACCOUNT PROCESSING  
GROUP-DP/IRP/TMT

RECEIVED  
FCC

READ INSTRUCTIONS CAREFULLY BEFORE PROCEEDING		FEDERAL COMMUNICATIONS COMMISSION <b>REMITTANCE ADVICE</b>		APPROVED BY OMB 3060-0589	
(1) LOCKBOX # 358835		PAGE NO. <u>1</u> OF <u>1</u>		SPECIAL USE <div style="border: 1px solid black; padding: 2px;">FBI/DOJ FBI/MELLON OCT 0</div>	
<b>SECTION A - PAYER INFORMATION</b>					
(2) PAYER NAME (If paying by credit card, enter name exactly as it appears on your card) <b>Novo Networks International Services, Inc.</b>				(3) TOTAL AMOUNT PAID (dollars and cents) <b>\$ 7,692.20</b>	
(4) STREET ADDRESS LINE NO. 1 <b>300 Crescent Court</b>					
(5) STREET ADDRESS LINE NO. 2 <b>Suite 800</b>					
(6) CITY <b>Dallas</b>		(7) STATE <b>TX</b>		(8) ZIP CODE <b>75201</b>	
(9) DAYTIME TELEPHONE NUMBER (include area code) <b>214-777-4100</b>		(10) COUNTRY CODE (if not in U.S.A.)			
<b>IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)</b>					
<b>SECTION B - APPLICANT INFORMATION</b>					
(11) APPLICANT NAME (If paying by credit card, enter name exactly as it appears on your card) <b>Novo Networks International Services, Inc.</b>					
(12) STREET ADDRESS LINE NO. 1 <b>3000 Crescent Drive</b>					
(13) STREET ADDRESS LINE NO. 2 <b>Suite 800</b>					
(14) CITY <b>Dallas</b>		(15) STATE <b>TX</b>		(16) ZIP CODE <b>75201</b>	
(17) DAYTIME TELEPHONE NUMBER (include area code) <b>214-777-4100</b>		(18) COUNTRY CODE (if not in U.S.A.)			
<b>COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEETS (FORM 159-C)</b>					
<b>SECTION C - PAYMENT INFORMATION</b>					
(15A) FCC CALL SIGN/OTHER ID		(20A) PAYMENT TYPE CODE (PTC) <div style="display: flex; justify-content: space-around;"><div>0</div><div>1</div><div>7</div><div>2</div></div>		(21A) QUANTITY <b>7,692.20</b>	
(22A) FCC CODE 1		(23A) FCC CODE 2		(24A) FILE DUE FOR (PTC) IN BLOCK 20A <b>\$ 7,692.20</b>	
(15B) FCC CALL SIGN/OTHER ID		(20B) PAYMENT TYPE CODE (PTC)		(21B) QUANTITY	
(22B) FCC CODE 1		(23B) FCC CODE 2		(24B) FILE DUE FOR (PTC) IN BLOCK 20B	
(15C) FCC CALL SIGN/OTHER ID		(20C) PAYMENT TYPE CODE (PTC)		(21C) QUANTITY	
(22C) FCC CODE 1		(23C) FCC CODE 2		(24C) FILE DUE FOR (PTC) IN BLOCK 20C	
(15D) FCC CALL SIGN/OTHER ID		(20D) PAYMENT TYPE CODE (PTC)		(21D) QUANTITY	
(22D) FCC CODE 1		(23D) FCC CODE 2		(24D) FILE DUE FOR (PTC) IN BLOCK 20D	
<b>SECTION D - TAXPAYER INFORMATION (REQUIRED)</b>					
(26) COMPLETE THIS BLOCK ONLY IF APPLICANT NAME IN B-11 IS DIFFERENT FROM PAYER NAME IN A-2 <div style="display: flex; justify-content: space-between;"><div style="width: 45%;">PAYER TIN <div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-around;"><div>0</div><div>2</div><div>2</div><div>3</div><div>5</div><div>3</div><div>5</div><div>6</div><div>4</div><div>6</div></div></div><div style="width: 45%;">APPLICANT TIN <div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-around;"><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div></div></div>					
<b>SECTION E - CERTIFICATION</b>					
(27) CERTIFICATION STATEMENT I, <u>DOUGLAS G. HAY</u> , Certify under penalty of perjury that the foregoing and supporting information (PRINT NAME) are true and correct to the best of my knowledge, information and belief. SIGNATURE <u>[Signature]</u>					
<b>SECTION F - CREDIT CARD PAYMENT INFORMATION</b>					
(28) MASTERCARD/VISA ACCOUNT NUMBER: <div style="display: flex; justify-content: space-between;"><div style="width: 60%;"><div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-around;"><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div></div></div><div style="width: 35%; text-align: right;">EXPIRATION DATE: <div style="display: flex; justify-content: space-around;"><div style="border: 1px solid black; padding: 2px; width: 40px; height: 20px;"></div><div style="border: 1px solid black; padding: 2px; width: 40px; height: 20px;"></div></div><div style="display: flex; justify-content: space-around; font-size: small;">MONTH      YEAR</div></div></div>					
(29) AUTHORIZED SIGNATURE <div style="display: flex; justify-content: space-between;"><div style="width: 60%;"><div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-around;"><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div><div> </div></div></div><div style="width: 35%; text-align: right;">DATE: <div style="display: flex; justify-content: space-around;"><div style="border: 1px solid black; padding: 2px; width: 40px; height: 20px;"></div><div style="border: 1px solid black; padding: 2px; width: 40px; height: 20px;"></div></div><div style="display: flex; justify-content: space-around; font-size: small;">MONTH      YEAR</div></div></div>					

SEE PUBLIC BURDEN ESTIMATE ON REVERSE

FCC FORM 150 JULY 1997 (REVISED)